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THE

# HON. JAMES BROOKS'S SPEECH,

BEFORE THE UNION DEMOCRATIC ASSOCIATION,

932 BROADWAY,

Tuesday Evening, December 30, 1862.

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"HOLD FAST TO THE CONSTITUTION."

'CLING TO THE CONSTITUTION AS THE SHIPWRECKED MARINER CLINGS TO THE LAST PLANK, WHEN NIGHT AND THE TEMPEST CLOSE AROUND HIM.'—DANIEL WEBSTER.

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LAST PLANK, WHEN NIGHT AND THE TEMPEST CLOSE AROUND HIM."—*Daniel Webster.*

The President of the Union Democratic Association, the Hon. LUKE F. COZANS, after some appropriate remarks upon the services rendered by the Association, said, that a speaker would now address them, by whose ability and eloquence, the large audience present would be well rewarded for their attendance on so stormy an evening. He, therefore, introduced the Hon. JAMES BROOKS. After the repeated and prolonged cheering that welcomed Mr. Brooks, had subsided; he said:—

MR. CHAIRMAN AND GENTLEMEN—If any of you expect from me this evening, any exciting, or excited remarks, you will be disappointed. There are times so impressive, crises in public affairs so solemn, that any flourishes of rhetoric, any pompous display of periods, or sesquipedalian words, but detract from the gravity and dignity of the theme. Hence, in the crisis of a civil war like ours, where the blood of kith and kin is poured forth like water, and when this civil war is becoming complicated in fresher, and yet more fearful issues, the simplest language becomes the sublimest expression. (Applause.) The ancient heathen orators in times like these, when they were wont to address their public assemblies, invoked their *Dii Immortales*, their Immortal Gods. How much more then, should Christians, who assemble now, in the midst of Battle and Blood, invoke the immortal God to guide our deliberations. (Applause.)

### THE TWO PROCLAMATIONS AND WAR ORDER OF SEPTEMBER, 1862.

When I last had the honor of addressing this Association, late in September last, there were threatening the people two PROCLAMATIONS and one WAR ORDER: One Proclamation threatening the people of the North, that if they dis-

cussed the other, the War Order would, through Courts Martial or Provost Marshals, suspend Process, Bail, Jury Trial, Habeas Corpus, and arrest and incarcerate all engaged in such discussion. The Civil Courts were to be suspended, and Military Courts were to be substituted in their places. The very first opportunity after the promulgation of these Edicts, I ventured in this Hall to denounce them, as in violation, not only of *Magna Charta*, the Common Law of England and of the United States, and of the rights of man, but of the Constitution of the United States, and of our State of New York; and you, in your responses, here in this Hall and elsewhere, so ably, so eloquently supported and cheered me, that the Edicts fell powerless before a brave and determined People. The President, indeed, who fulminated these Edicts, under the influence of our, and other elections, the offspring of what we proclaimed, we would have, *viz.* free discussion, recalled, nullified, abrogated his War Order, and that Proclamation Edict which threatened to subvert all Liberty in the North. The Provost Marshals shrank back before the majesty of an indignant People, and the Judges and the Courts were re-inaugurated, re-installed by that People. (Cheers.)

### THE PROCLAMATION OF JANUARY, 1863.

But, gentlemen, there is left now another proclamation, not annulled,—that, for the South and Southwest,—in force, or if possible, to be put in force January 1st, 1863,—which I propose, this evening more fully to discuss. (Applause.) The President does not claim, nor do the President's friends claim, that for this Proclamation he has any warrant, in or under the Constitution of the United States,—whereby, thus, he subverts, or attempts to subvert, whole States, with the whole organization of their society,—their statute, their civil, their municipal, as well as their constitutional laws; nor does he claim, that under the laws of nations, he has any such prerogative or

power, save what is indefinitely declared to be the laws of war, the war power, or the military necessity of war. I propose, this evening, gentlemen, to discuss all these weighty matters, and you must put up with, as a necessity of this discussion, the recitation of some of our past history, and with the reading of such documents as proof makes necessary, however heavy such reading may be in a popular assembly. (Cries of "Go on. It is what we want to hear.")

#### WAR FOR THE CONSTITUTION.

Gentlemen, as I said at the start, we are in the midst of a bloody civil war, the magnitude of which is unlike anything in the record of human history, except the civil wars of Rome, that drenched the huge Roman Empire in human gore. We, who were not of the Administration, were driven into this war, reluctantly driven in, by the force of unhappy events, and by the then solemn pledge of the Administration, that it was a war, only to maintain the Government and the Constitution of the United States, with the integrity of the Union. (Applause.) We are not now, and we never pretended to be, supporters of the Administration. We drew at first, as we draw now, the Constitutional distinction between supporting the Government, and a temporary administration of that Government. (Applause.) We recognize no loyalty, nor fealty, nor allegiance due to any mere administration of the Government, to no mere man, in no one branch of it,—Executive, Legislative, or Judicial,—but we do recognise fealty, loyalty, love, devotion, with the whole heart and soul, as due to that great charter of human liberty known as the Constitution of the United States. (Loud and prolonged cheering.) That Constitution, in my earlier days, when not as well booked up as I am now, I supposed to be some impromptu inspiration of Divine Wisdom, far above all human intelligence, or human instinct,—the work of men inspired, as were the Holy Apostles, who handed down to us the Holy Scriptures, and I revered and worshipped that Constitution as the Bible guide on earth to men struggling for Law and Liberty. But upon fuller and maturer reading, I discovered, that our Fathers of the Constitution were not so much inspired men, as condensers or codifiers of centuries of human wisdom, the writers up, and abridgers of human law, the common law of England,—of the principles, rights, liberties, our British forefathers, after five or six centuries of struggle, wrested from the Kings and Despots of England, and affixed to great charters of Human Rights, the *Magna Charta* of 1215 won sword in hand by the Barons of England from King John, or the Petition of Right 1628, or the *Habeas Corpus* 1679, or the Bill of Rights 1689. The Constitution of the United States brought to a focus these great Lights of Liberty, Law, Human Progress and Civilization. The eyes of our fathers were then but the lenses of the Past to see their Present, and so to provide for the great Future. (Applause.)

#### THE IMMEDIATE CAUSE AND THE PLEDGE OF THE WAR.

Hence, when in December, now two years gone by, after the Presidential election, there assembled in South Carolina, a Convention of the States, enacting an ordinance of secession, separating that State from the United States and from the Constitution of the United States,

which had not gratified South Carolina in that election. Hence, when in the subsequent February there assembled in Montgomery, Alabama, a convention of a few other States, subverting and annulling the Constitution of the United States, and not only that, but creating a new Constitution, and changing the old Flag,—both the reason and the sentiment of the country felt indignant, and arose to express that indignation. The magazine so well prepared for explosion during twenty-five years of preparation by extreme men, both North and South, was fired at Fort Sumter, and the explosion took place, involving some thirty millions of people in its destruction. The North arose in mass almost,—not to maintain or uphold Abraham Lincoln, or the Cabinet Administration of Abraham Lincoln,—but to uphold the Constitution, the three branches of the Government of the United States, its Judiciary as well as its Executive, and Legislative authority. (Applause.) "The Constitution shall be maintained." "The Flag shall be respected." "The Union must and shall be preserved," were the universal rallying cries of the Northern People. (Applause.) The Rebel Enemy authoritatively, through one of its Cabinet officers (Mr. Walker), avowed its intent to march upon, and to seize, Washington;—and hence, when the President called for his 75,000 men, more than a million were earnest to volunteer to protect the Capital, to uphold the Flag, to stand by the Constitution. The war then, was solely and avowedly for the maintenance of the Constitution, and the Flag as the symbol of that Constitution.

#### THE PLEDGE OF THE INAUGURAL.

The President himself, in his Inaugural, March 4th, 1861, thus pledged himself against the Abolitionists in his own part, and against his Proclamation of Abolitionism:

"I have no purpose, directly or indirectly, to INTERFERE with the institution of slavery in the States where it exists. I believe I have no lawful right to do so, and I have no intention, to do so."

#### THE PLEDGES OF THE HOUSE.

The House of Representatives, by a nearly unanimous vote, in February, 1861, passed the following resolutions:

Resolved, That neither the Federal Government nor the people or governments of the non-slaveholding states have a purpose or a constitutional right to legislate upon or interfere with slavery in any of the States of the Union.

Resolved, That those persons in the North who do not subscribe to the foregoing proposition are too insignificant in numbers and influence to excite the serious attention or alarm of any portion of the people of the Republic, and that the increase of their numbers and influence does not keep pace with the increase of the aggregate population of the Union.

#### THE CRITTENDEN PLEDGE.

In July, 1861, was introduced into the House, and passed almost unanimously, (only two dissenting,) the well known Crittenden Pledge or Resolution, viz.:

"That the present deplorable civil war has been forced upon the country by the disunionists of the Southern States, now in arms against the constitutional government, and in arms around the Capitol: that in this national emergency, Congress, banishing all feeling of mere passion and resentment, will recollect only its duty to the whole country; that this war is not waged on their part in any spirit of oppression, or for any purpose of conquest or subjugation, or purpose of overthrowing or interfering with the rights or established institutions of those States, but to defend and maintain the supremacy of the Constitution, and to preserve the



Union, with all the dignity, equality, and rights of the several States unimpaired; and that, as soon as these objects are accomplished, the war ought to cease."

#### THE SENATE PLEDGE.

In the Senate, Mr. Sherman, of Ohio, had introduced, and the Senate had passed, a like resolution. Thus three branches of the Legislative Government—the Executive, the Senate, the House—solemnly pledged itself to the country to carry on a war, only for the SUPREMACY OF THE CONSTITUTION. The armies were created, and the soldiers were enlisted upon that solemn pledge,—and, upon many a battle field, many a life has been freely offered up to carry out, defend, protect, and promulgate that pledge. This was the war, the North entered into,—the war of the Conservative men of the North,—the war of the great Democratic Party. We never committed ourselves to any other war (cheers), and they who are for breaking these pledges, or for creating another war,—or, who have committed us to, or enlisted us in this war, under what now seems false pretences, or false pledges,—they are in honor bound to dismiss us from this war, and to carry it on, themselves. (Loud and prolonged cheering, many of the audience rising and waving their hats.)

#### THE REVERSE PICTURE—THE PROCLAMATION OF SEPTEMBER 22D.

These being the pledges of Mr. Lincoln, the President, and of the Congress assembled in Washington, now look at the reverse picture, and say, who can, that the whole purpose, the whole programme of the war have not been changed? Say,—who can, that twenty millions of Northern white men are not now called upon to endure Conscription and Taxation, and to sacrifice themselves in Southern latitudes, mainly to free three or four million of negroes. (Applause.) The President in his September 22d Proclamation says:

"On the first day of January, in the year of our Lord one thousand eight hundred and sixty-three, all persons held as slaves within any State, or any designated part of a State, the people whereof shall then be in rebellion against the United States, shall be, thenceforward, and then, forever free; and the Executive Government of the United States, including the military and naval authority thereof, will recognize and maintain the freedom of such persons, or any of them, in any effort, they may make for their actual freedom."

#### THE PRESIDENT'S EXTRAORDINARY USE OF WORDS.

Let me first call attention here to the extraordinary words of the Proclamation. The President speaks of himself, elected for but four years, two of them now nearly expired, as the EXECUTIVE GOVERNMENT OF THE UNITED STATES! Who created Abraham Lincoln the Government of the United States? Who created, who elected him, a man made of no better flesh and blood than the rest of us, to be the GOVERNMENT of thirty millions of people in the United States?

A VOICE.—The people. "Cries of "No, no;" "Put him out," "Let him be!"

MR. BROOKS.—The people! *Never!* (Exciting cheers) Never, NEVER did the people give him a majority of their suffrages. (Continued cheers.) He is a minority President, appointed by the operations of the Constitution in spite of the people of the United States. (Cheers.) A large majority of the people voted against him, and he was created President in, and under that very Constitution he would overthrow by his

proclamations. (Great, and continued cheers.)

In this Proclamation, the President also speaks of "the Military and Naval Authority. Authority is a legal power, or a right to command, such as Prince over subject, as Parent over child. The Government has authority; or, the President acting in obedience to Law, and so the Precedents or Decisions of a Court, are authority or authorities; but the AUTHORITY of the Army or Navy is more novel even than this declaration of Mr. Lincoln, that I am the Executive Government of the United States,—for there is a precedent for that, in the French *L'Etat c'est moi* (I am the State.) The Army and Navy are the agencies of civil authority,—but, under our form of Government, they are no authority of themselves. When the State is the Emperor or the King, the Army or the Navy are only his means of executing his authority,—but, under our form of Government, they are no authority, only the military Agencies of the Civil Government of the United States. As names often are things, or more than things, I thus dwell in verbal criticisms upon these words. When a President sets himself up as the Executive Government of the United States, and calls the Army and Navy his authority for overriding States, and the Laws of States, and the Constitution of the United States, we cannot be too watchful of mere words. Naval and military men, then, be it understood, are but Agents, only, of civil authority, to execute Civil and Constitutional Law. (That's so; cheers.) The Army and the Navy are, certainly, not "authority," under any known or recognized "Executive Government of the United States." (Cheers.)

There is another part of the Proclamation, which chalks out, or seems to chalk out, a servile war, which contemplates, or seems to contemplate, the exciting of the slaves to the destruction not only of their masters, but of women and children, and to add the horrors of a service, thus to the civil war. The words are—

"The Executive Government \* \* will recognize and maintain the freedom of such persons (negro slaves) \* \* \* in any effort they may make for their actual freedom."

I do not know that the President means to excite a servile insurrection. I will not impute to him the horrible intent of converting the Southern country into a Hayti, or St. Domingo, with the "Authority" of his army and navy to help, but I say, that the language is susceptible of that meaning, and such meaning has been given to it throughout the civilized world. (Applause) When the "Executive Government" thus addresses negroes or slaves, words ought to be used that negroes or slaves cannot pervert into authority to burn, slay, destroy, without regard to condition, age, or sex. (Applause.)

#### THE HOUSE BREAKING ITS PLEDGES.

But the President alone is not responsible for this violation of the Pledge and Principle, that enlisted the conservative men of the country in this war. The House of Representatives thus, December, 1862, reversed the Crittenden Resolution of July, 1862, the Hon. Sim. C. Fessenden, of Me., offering the following Resolution, which passed, yeas 78, noes 51:

Resolved, That the Proclamation of the President, of the date of Sept. 22, 1862, is warranted by the Constitution; that the policy of emancipation as indicated therein is well adapted to hasten the restoration of peace, is well chosen as a war measure, and is an exercise of power with proper regard to the rights of citizens and the perpetuity of a free government.

# ISSUE TAKEN ON PROCLAMATION POWER.

And now, my friends, here, we take issue on that Resolution, such as we took in September, here, in this Hall, on the Proclamation, pending that reign of terror, when moral courage was needed to speak, not as now, when we can speak, and dare to speak with freedom, of all the efforts of the administration of the government to subvert the law. When I said to you in the beginning of my remarks, that the Constitution of the United States was the embodiment of the common law of England and of the wisdom of our British ancestors for 500 years, I omitted to say that there was nothing in that Constitution which forbade Executive Proclamations. There are certain things so settled in human life, that it is not necessary to stipulate against them, such as the right to eat, to breathe, to live. When our British forefathers, in their second Revolution, stipulated against almost every form of executive despotic power, they did not deem it necessary expressly to stipulate against Proclamations, or to define the limits of uttering a Proclamation,—because the common law of England had long settled, that Kings could not make law by proclamation, or ordain law, or override law. When our Constitution was formed, such a practice had not been set up in England for 200 years. No monarch of England, for that long period of time, had attempted to exercise, by proclamation such powers and prerogatives as the President of the United States sets up in his Proclamation of September 22, 1862. (Applause.)

Queen Elizabeth as long ago as 1580 began to make Law by Proclamation, then, against the Anabaptists of England, and against Irishmen straying away from home, and against seditious and schismatic books tending to prejudice the then rising Church of England. James the 1st prohibited by Proclamation country gentlemen from coming to London, and regulated, or attempted to regulate, the habiliments of their women and children. (Laughter.) Charles the 1st, unfortunately for himself, in prohibiting by Proclamation, emigration to New England, prohibited Cromwell and Hampden from emigrating there. Queen Elizabeth, however, respected her People enough, to listen to, and to yield to some of the remonstrances of that People against this power of Proclamation. Charles the 1st went to the Block, because of the unholy exercise of this, and similar Prerogatives and Powers. (Applause.) The Tudors, and the Stuarts claimed not only the power to proclaim and to ordain Law by Proclamation, but the power to dispense with Law, and to suspend Law. What cost these dynasties their existence is that which calls itself “the Executive Government of the United States, and is now attempting upon us, Americans. (Applause.) Abraham Lincoln suspends Law,—the *Habeas Corpus*,—dispenses not only with Law, but even with the Courts of Law, and, by Proclamation, ordains Law. (Cheering.) Our Fathers did not stipulate against these Executive or Royal Prerogatives, in the Constitution,—because for 200 years in England, the exercise of such Prerogatives had scarcely been thought of. But what no King of England for two centuries dared to do,—what broke down the Tudors and the Stuarts, Abraham Lincoln is doing, and his upholders are claiming that he has a right to do. (Applause.)

## A PRONUNCIAMIENTO, NOT A PROCLAMATION.

Now, no man doubts the right of the President to utter a Proclamation; at times, it is his duty

even,—but a *Proclamation* is one thing, and a *PRONUNCIAMIENTO* is another. The one is English, on English precedent; the other is Spanish, and comes to us from Spain, or, from the Revolutions of Spanish America. The Kings or Queens of England, utter Proclamations now,—and there are numerous precedents for them, from the Administration of Washington, on to this era and age,—but the Kings of England, now, and the previous Presidents of the United States, utter Proclamations, not to MAKE Law, or to ORDAIN Law, but to proclaim what the Law is, and to forewarn ill-disposed people against the violation of existing Common, Constitutional, or Statute Laws. The Queen of England, Queen-torn, has forewarned her British subjects not to violate British (neutrality) Law,—but our four-years old President suspends Law, dispenses with Law, ordains Law, and overthrows both Constitutional and Statute Law. He *pronounces* (in the Spanish meaning of the word), not *proclaims* Law. He scorns Common Law, Statute Law, Constitutional Law, Latin *Magna Charta*, and *Habeas Corpus*, and English, as well as American written Constitutions, and introduces here, not from England, the PROCLAMATION, but from Spanish America, the *Pronunciamento*, that is, REVOLUTION. A Proclamation upholds Law; the *Pronunciamento* overthrows Law. The President has fulminated a Spanish *Pronunciamento*.

## NO SUCH MILITARY POLICY NECESSARY.

But, we are told this *Pronunciamento* against whole States, or upon whole States, is, as a matter of mere military policy, or necessity, a wise exercise of the War Power; and it is insinuated that when the negro is thus “pronounced” free on paper, then Sambo, and Scipio and Cæsar will embrace their Rebel masters, and bring them into the ranks of our army, and surrender them as prisoners of war to the utterer of this Paper Proclamation. (Laughter and applause.) We shall see. We shall see. But I deny that there is any wisdom in this Paper as a war measure. I deny that it is a military policy. Its first effect has been to disunite the North, and to raise up a large majority in that North, certainly in the central States of the North, in opposition to this species of administration. (Applause.)—And the next effect has been, while thus disuniting the North, to unite the whole South as one man against a government carrying on a war on such principles. (A voice—“That’s so.”) We, who were united, have become a *divided* People, and they, who were divided, have become a united people;—and if this be military policy, I must say, I don’t see it. Do you? (Laughter.) It is a matter of record, too, that since the utterance of this Paper, while Providence before blessed our arms, when fighting for the Constitution and the Laws; now, Providence in a good degree has ceased to smile upon us. Delaware, Maryland, Western Virginia, Kentucky and Missouri came to us under the Inauguration of the President and the Crittenden Resolutions; New Orleans was taken; Norfolk surrendered; nearly the whole coast of North Carolina became ours; a Union party more or less existed everywhere in the South;—while now, vast armies are in the field against us, fighting not alone for Independence, but for life, home, family, fireside, wife, children, everything dear to man. The military policy of the President has made popular, South, what was there but an odious conscription, and what the people were



preparing to resist. A war, becoming unpopular, has there been made popular; while a war here, at the start popular, is becoming unpopular, because of the false pretences under which men were engaged or enlisted in it. (Applause.) Hence, I deny that there is any military necessity for this Paper, or, that there is any military policy in it. (Cheers.) It is costing us already seas of blood, and will cost us, if thus persisted in, the entailment of a debt upon generation after generation, so that labor, for centuries, will be subjected to capital. (Cheers)

#### NEGRO PROCLAMATIONS IN THE WAR OF THE REVOLUTION.

And now, as a matter of history, gentlemen, there is no one thing upon which the American people, or the United States Government, are more committed than against this use of negro-freeing Proclamations, or the use, in any way, of negroes in war, civil or foreign. The British Generals on our own Continent, pending our own Revolution of 1776, uttered Proclamations like this of Abraham Lincoln. Sir Henry Clinton and Sir William Howe proclaimed in New York, New Jersey and Pennsylvania the freedom of our negroes; Lord Dunmore did the like in Virginia, and Lord Cornwallis, further South. Our Statesmen and our Generals made good points of appeal to the civilization of the world against this British employment of Indians and negroes in civil war, and they spoke of the Indian savage and negro barbarism in the same breath. The use of such means and men, by Englishmen to subdue Englishmen, was pronounced to be against the law of nations, the law of nature, and the law of God. (Applause) That great man, Edmund Burke, whom Heaven had so gifted with intellect, that he seemed able to concentrate the great lights of the Past, and to spread and to reflect them all over the Future,—that great man foresaw what England was driving America into, and often held up the lights of that luminous intellect to forewarn his countrymen to beware. What he, what Lord Chatham, and others, said in the British Parliament, ought now to be read and re-read by every North American. In an address to the King of England, exhorting that King not to drive the war to extreme measures, said Burke:

"To excite, by a Proclamation issued by your Military Governors, an universal insurrection of negro slaves in any of the Colonies, is a measure full of complicated horrors, absolutely illegal, suitable neither to the practice of war nor to the time of peace."

In an address to the then British Colonies, Mr. Burke said:

"We likewise saw with shame the African slaves, who had been sold to you in public faith, and under the sanction of acts of Parliament, to be your servants and guards, employed to cut the throats of their masters."

The effect of these remonstrances from Burke, from Chatham, and other liberal Englishmen, upon Parliament, against these proclamations for the use, or sudden liberation of negro slaves by the British generals, did more than anything to destroy the popularity of the war in England and to tempt the British government and people to end so wicked a war, by the recognition of their colonies as independent States. (Applause.) Great Britain herself, as a government, confessed the Proclamation respecting the negroes to be so wrong that in the treaty of 1783, 7th article, is this solemn stipulation:

That His Britannic Majesty should, "with all con-

venient speed, and without causing any destruction, or carrying away of negroes, or other property of the American inhabitants, withdraw all his armies, garrisons and fleets from the United States, and from every part, and place, and harbor within the same."

When the treaty came to be executed, long controversies arose upon what definition should be given to this "carrying away of negroes, or other property." Whoever will look into the American archives will find long diplomatic papers, and then long diplomatic controversies,—and he will find, too, that not only such Southern men as Jefferson and Edmund Randolph, of Virginia, were committed against the abduction, use, or employment of negroes in war, freed by proclamation or otherwise, but such New Yorkers as John Jay and Egbert Benson. In the end the British government acquiesced in the justice of these remonstrances, and paid for the deported negroes, thus freed or abducted. (Applause.)

#### NEGRO PROCLAMATIONS IN THE WAR OF 1812.

A like passage of history was repeated after the war of 1812. Admiral Cochrane, upon the waters of the Chesapeake, issued a Proclamation, which, while it avoided the use of the word slave, in order to seem thus not to violate the understanding, or law of nations, that forbade the use of slaves, or the stirring them up to insurrection, nevertheless invited such persons to enter his Majesty's service, or to emigrate to British possessions in North America. Admiral Cochrane, in short, was following in the footsteps of Clinton, Howe, Dunmore, and Cornwallis of the Revolution. When the Treaty of Ghent was made, (1815,) in the 1st article was inserted a stipulation resembling that in the 7th article of the Treaty of 1783, viz:

"That all places captured by either party should be restored without delay, without carrying away any private property captured in such places, or any slaves, or other private property."

#### OPINION OF JOHN QUINCY ADAMS.

John Quincy Adams, to whose name and memory, the Republican party profess to look up with so much respect, it so happens, was Minister at the Court of St. James, charged with the negotiation of this Treaty on the part of the United States. In a letter to the Secretary of State, August 22, 1815, he reports his conversation with Lord Castlereagh upon the subject, in part, as follows:

"Had the British plenipotentiaries asked of us an explanation of our proposal to transpose the words [of the treaty] we should certainly have given it; we evidently had an object in making the proposal; and we thought the words themselves fully disclosed it. Our object was the restoration of all property which, by the usages of war among civilised nations, ought not to have been taken. All private property on shore was of that description; it was entitled by the laws of war to exemption from capture,—*slaves were private property.*" Further on he continues: "It was true, proclamations inviting slaves to desert from their masters had been issued by British officers; we believe them deviations from the usages of war; we believe that the British government itself would, when the hostile passions arising from the state of war should subside, consider them in the same light. \* \* \* \* \* Lord Liverpool manifested no dissatisfaction at these remarks, nor did he attempt to justify the proclamation to which I partially alluded."

In a letter of instructions (July 5th, 1820) to Mr. Middleton, our Minister to St. Petersburg, where this article of Treaty of Ghent had been referred, upon difficulties arising as to construction similar to those in the Treaty of 1783, Mr. Adams enters into a sustained argument to

prove that the emancipation of an enemy's slaves is not authorized by the laws of war.—The following extract is sufficient to clearly exhibit his opinion :

"It has been repeatedly alleged on the part of the British government that it could not be supposed they would have agreed to an article which would oblige them to deliver up to their masters slaves who, during the war, had taken refuge under their protection. The reply to this observation is, that if that had been an objection to their agreeing to the article, it should have been made before the signing of the article, and the engagement not to carry away slaves at all. They had in fact numbers of slaves by these different modes of capture,—one of such as had been seduced to run away from their masters by proclamations from British officers, a second of voluntary fugitives whom they received; and a third of such as had been taken in predatory excursions. You will find in Niles's Register, vol. vi., p. 242, the proclamation of Admiral Cochrane, instigating the desertion of slaves from their masters. \* \* \* It is not openly addressed to slaves, nor does it avow its real object. From the use of the phraseology which it adopts, the inference is conclusive that the real object was such as the admiral did not choose to avow, and the only supposable motive for the disguise is the consciousness that it was not conformable to the established usages of war among civilized nations. The wrong was in the proclamation. Admiral Cochrane had no lawful authority to give freedom to the slaves belonging to the citizens of the United States. The recognition of them by Great Britain in the treaty as property is a complete disclaimer of the right to destroy that property by making them free. An engagement contracted with them to that effect was, in relation to the owners of the property wrongful; and, if, in relation to the slaves themselves, it was an engagement which the British government assumed upon themselves and sanctioned, it could not divest the owners of the slaves of their property, nor release the British government from the obligation to the United States, and to the owners, to evacuate the place without carrying them away."

Mr. Adams wrote to Mr. Rush, at London, as follows :

"The only equity of the British side is that they signed the article without being aware of its full import, and that the stipulation was incompatible with their previous promises to the negroes. This is the real knot of the question between us, and its solution is, that they had no right to make any such promises to the negroes. The principle is, that the emancipation of an enemy's slaves is not among the acts of legitimate war—as it is to the owners; it is a destruction of private property, nowhere warranted by the usages of war. This principle must, I think, be peculiarly familiar to the Emperor of Russia, and may be pressed upon his attention in the case of reference with effect."

On the 18th of October, Mr. Adams again wrote to Mr. Middleton, and expressed his views in the strongest language. He said :

"In the statement of the British ground of argument upon the claim in the submission, they have broadly asserted the right of emancipating slaves—private property—as a legitimate right of war. This is utterly incomprehensible on the part of a nation whose subjects hold slaves by millions, and who, in this very treaty, recognize them as private property. No such right is acknowledged as a law of war by writers who admit any limitation. The right of putting to death all prisoners in cold blood and without special cause might as well be pretended to be a law of war, or the right to use poisoned weapons, or to assassinate. I think the Emperor will not recognize the right of emancipation a legitimate war fare, and am persuaded you will present the argument against it."

Now, gentlemen, no language can be stronger than this, which Mr. Adams here uses against what Mr. Lincoln has done, or is to do. "The Emancipation of an Enemy's slaves (he says) is not among the acts of legitimate war," almost the language of Edmund Burke. "No such right is acknowledged as a law of war by writers, who admit of any limitation." Mr. Adams expresses

his horror of such war, by classing it "*with putting to death all prisoners in cold blood,*" or "*the use of poisoned weapons,*" or "*assassination.*" The Emperor of Russia decided on the words of the Treaty, that the slaves must be paid for, and they were paid for, \$1,200,000 under this, the Treaty of Ghent, and the Treaty of 1783.

It is now said, that at a late period of life, Mr. Adams retreated from these positions, and excused himself for so doing, that he wrote under instructions from the then administration, and did not express his own opinions. It is true, that after Mr. Adams had been defeated for the Presidency in 1828,—as he deemed, by the South, exasperated, it may be by that defeat, he did agree, that "the War Power" could abolish slavery, but his "War Power" was not laid down to be in a Proclamation from the President of the United States, but in Congress. Congress (he said) (speech of 1842) has power (thus) to carry on the war, and not the President alone. One of the laws of war, he sets down to be :

"When a country is invaded and two hostile armies are set in martial array, the Commanders in both armies have power to emancipate Slaves in the invaded territory."

But our President in the White House, with no sword buckled on his belt, even, 1000 miles or more from Texas, &c., which our armies have never invaded, fulminates from that White House, in a mere Proclamation, a law of war, liberating the slaves in a Territory he has never even seen. (Applause.)

It matters not, however, what Mr. Adams said, in the heat of debate in 1842,—for then he was but Mr. Adams,—whereas as Minister to England, and as Secretary of State, representing and acting for the Government of the United States, he committed this Government, and the People, in 1815 and in 1820, to principles which no honest, consistent successor in that Government can now retract. Mr. Adams in 1815 and 1820 spoke for the United States: in 1842, he spoke for Mr. Adams alone. There is our record, a record made up from 1776, on to 1813, in two Treaties of Peace, in diplomatic correspondence, and in the receipt of moneys thereon, and this record cannot be got over, or put under,—for it stares us in the face, on every side we turn. (Applause.) The emancipation and the use of negro slaves, as President Lincoln is using and emancipating them, is, then, in violation of every principle and every precedent of our intercourse in such matters, with foreign States. (Great cheers.)

Gentlemen, these historical recollections, I am well aware, in a popular assembly like this, are somewhat dull,—but I feel in addressing you that through this Association I am addressing no inconsiderable portion of our Northern countrymen, and I trust, directly or indirectly, some of the conservative people of the South. (Applause.) Hence it is not declamation that is useful now, but instruction, the right reading of the right records. We must show both the North and the South, that the war waged was a war for the Constitution and the Laws, not a war to break Constitutions and Laws,—and a war to be waged according to the laws of nations, as expounded by such eminent men as John Jay and John Quincy Adams, when they were addressing other nations.

#### THE WAR POWER.

But we are told, gentlemen,—no matter what Constitution, no matter what the laws of nations,



this is a war power, President Lincoln is using to support the very life of the nation. He has the right to exert any, and whatsoever power he may deem best fitted to subdue the common enemy. Or, in other words, the President of the United States has but to involve the people in a war, with anybody, ostensibly to maintain the Constitution, and he can then pervert that war, to subvert that Constitution, and to extinguish the life of the nation. (Applause.) What proposition more absurd? What better confutation than the mere simple statement of such an absurd proposition. (Applause.) In an abstract struggle, then, for the Republic, we must die in Despotism! To live, we must commit suicide! To restore the Union, we must make the Union not worth a restoration! Now this is not the sort of Government under which we bargained to live, or to die even. (Cries of "no, no.") We have never agreed to subvert the Constitution in order to restore the Union. We have never agreed to surrender Liberty, Property, Free Speech, Free discussion, or Freedom in the concrete or abstract to any Executive Government, or Executive Power. (Cries of Never, never.) And if ever the time comes, when under any "War Power," it may be necessary to subvert the Constitution, and thus to give up our Rights and Liberties, it is a matter of indifference to me, whether a Union thus achieved, be maintained or not; and I say here, and hesitate not to say, that the quicker we be rid of such a Union, under such a Government, the better for all concerned. (Loud, and prolonged, and reiterated applause, the audience rising, and giving three cheers for Mr. Brooks.) This War Power is a new name for a very old thing. It is the new name of Despotism, and of Military Despotism, the very worst sort of despotism on earth. When the Roman Republic was changed into the Roman Empire—when the Romans lost their Consuls, the Tribunes, their Senate, all but in the name, and thus lost all their rights and liberties, their IMPERATOR, the Latin name for their Abraham Lincoln, their Commander-in-Chief, was scarcely changed by the War Power into the modern word, EMPEROR. Augustus, or Tiberius Cæsar, but became *Kaiser*, or *Czar*, that is Cæsar. Hence, let us put down our foot at the start, and declare, we recognize no Presidential War Power, no *Imperator* to be turned into any *Emperor*, no Cæsar to be made into any *Kaiser*, or *Czar*. He who attempts to govern the People, under any other Power than the Powers of the Constitution; he who leaps over the Laws of Civil Liberty, and the Civil Law, into that boundless field of Despotism, claimed as a War Power, establishes principles and precedents, from Emperors and Cæsars, and merits the execrations of every free man. (Applause.) Hence, I say, when a President ordains Law by Proclamation, under the pretence that he has such right, under any unknown, illimitable War Power, his Proclamation is not to be regarded as Law; it is not Law—(cheers)—and the President of the United States has no more right to declare it Law, than you or I, or any other man. No General in the field is bound to respect such Proclamation. No soldier in the field owes it obedience, or fidelity. (Tremendous and long continued cheering.)

Gentlemen, your cheers remind me, that this is strong language,—but it is such as the crisis de-

mands. Somebody must speak, when the great bulwarks of Law are being broken down, and everything is thus being put in peril, and I may as well speak as other men. Some humble sentinel must stand on the outposts of the Constitution, and the Law, and standing there, must speak, and cry out against Proclamation Law, against Executives dispensing with, or suspending Law. Two months ago, I know it would not have been safe thus to uphold Law, or to declare against the violation of Law,—but it is safe now. Then the casernes of Fort Lafayette, or Fort Warren would have been my doom. (Cries, not now, never, never; we've put a stop to all that.) But when a President is unfaithful to his oath to uphold the Constitution and the Law, and subverts that Constitution and the Law,—it is my duty, it is your duty, before God and man, to denounce all his arbitrary uses of Power. (Great applause, and three cheers for the Speaker.)

#### SUBJUGATION IMPOSSIBLE.

In the beginning of this war,—when it was a war for the Constitution, and for the whole United States, not only were the people of the North a unit, or nearly so,—but we had a great and powerful party in some of the Southern States of the Union;—and for that Constitution, and under that Flag, which was the symbol of the Constitution, there was a fair prospect, not of subjugating, not of exterminating, not of crushing out the people of the South,—but by prudence and wisdom, and a fair adhesion to the principles of the Constitution, and of the Laws of Civilization as well as of Nations, of bringing back the great body of the Southern people to the embrace of the Union, and to the reverence of that ancient and honorable Flag. It was their Flag, as well as our Flag,—and the associations connected with it, were as dear to them as to us. (Applause.) But I hesitate not now to say,—what hitherto I have refrained from saying, though often felt, that it is vain, utterly vain, to attempt to subjugate, extinguish, or exterminate six or seven millions of Anglo-Saxon people. (Applause.) Their race is our race. The blood that runs in our veins is their blood. The same pulsations that beat in our hearts, beat in theirs. The same current of life that flows in us, flows in them. Now, who of us, standing here on this Northern soil, believes, Southron or Saxon, Celt or Teuton, or Frank, can invade, or conquer, or subjugate us. All Britain, all France, the whole South, combined, could never shake us from our propriety, and make us tremble, and yield, under invasion. (Applause.) Subjugation—*subjugation*—is not a word of Anglo-Saxon derivation, or origin. (Cheers.) Anglo-Saxons never were, never are, never will be, brought under the yoke—*subjugated*, conquered, crushed out, exterminated. (Cheers.) Edmund Burke well comprehended all this, and in that masterly speech of his on "Conciliation with America," cited four cases where, for years and years, the British government had attempted to subjugate a neighboring people—the people of Ireland,—of Wales, and of the Counties Palatine of Durham and Chester. Ireland was five hundred years, he shows, in the process of subjugation, and arms never did conquer her. "It was not English arms (says Burke), but the English Constitution that conquered Ireland." The British, at last, threw over her the protecting mantle of British liberty, and Ireland then began to be subjugated. When England piled fifteen acts of penal legislation upon

Wales and Welshmen, "no Englishman traveling in that country could go six yards from the high road without being murdered." (Laughter.) "When, after two hundred years of struggle, the day star of the English Constitution," adds Burke, "had arisen in their hearts, all was harmony, within, and without—

—Simul alba nautis  
Stella refulebit,  
Defluit saxis agitatus humor, &c. &c.

And the like is said of the Counties Palatine, Durham and Chester. Hence how vain this attempt to subjugate, crush out, or exterminate millions of our own people, of our own flesh and blood,—protected as they are by an almost boundless territory, stretching from the Potomac to the Rio Grande,—a territory almost without high roads, in large plantations, without visible population,—in winter, no inconsiderable portion under water; in summer, the heat so oppressive that the man of the North can hardly endure exposure to the rays of the sun. Such a territory, if there were no defenders upon it, would be almost unconquerable, geographically, or climatically, if I may coin the word. The subjugation, therefore, of such a people, or such a territory, in such a climate, may as well be abandoned first as last. If we wish then to bring them back into the Union, we must bring back to them the Constitution and the Protection of the laws. We must do what Burke said, was done for Ireland and Wales, throw over them the protecting folds of the Constitution, in the spirit in which that Constitution was formed. We must re-lift up from the ground where it was trodden under foot, the Constitution, and only the Constitution. (Applause.) We must do Equity and Justice, and then we can exact Equity and Justice. We must hold out Equality for the States, and then we can enforce Equality. We must respect our own rights, and the rights of States, and then we can compel respect for these rights upon others. We must rear up here in the North, a Conservative, Constitutional Party, and when that Party is reared up, which accepts the Constitution not as this man or that man expounds it,—but as the Supreme Court has expounded it (cheers), then, and not till then shall we be a re-united States. Then, and not till then, shall we begin to subjugate the South. Force nor Violence can ever win back a People to love. Conquest would but impose the necessity for re-conquest, until here, as in Europe, we should ever be revolving in the ruinous circle of War and Despotism. We hold in the South, now, only what is under the range of our guns. Our conquest is only of the soil on which we are treading. To hold all this, to possess, to occupy a territory so vast, not alone are one million of men indispensable to hold,—but a million more, to conquer, to subjugate, as well as to occupy, or to re-fill the ever thinning ranks of those who do conquer and subjugate. How much better, then, how much wiser is the law of self-Government, or of that home Government, that State Government, which relieves a nation from obligations so vast, and impresses the duty of Government, upon every individual. Rely upon it, then, the only army for subjugation is the Constitution of the United States, and the principles of free self-government, interwoven in every part of it. But what we are doing now,—organizing and arming negroes, forming negro Battalions, Regiments, and Brigades,—is but outraging public sentiment. All Europe is crying out

against it. The whole civilized world shrinks from, and abhors any prospect of the repetition of the bloody scenes of Hayti and St. Domingo. That European sympathy and civilization which has hitherto looked up to us as the model Republic, now turns with horror from white men co-operating with African slaves to shed fraternal blood. We have no hope, then, from the world; we can have no hope in ourselves, until we retreat from this disgraceful exhibition of twenty millions of white men calling on four millions of negroes to fight eight millions, at the most, of white fellow men. Let us, then, hasten back to the principles of Washington, and of the Fathers of the Republic, as soon as possible, and put the Republic back upon the old track of the Constitution. These were principles of compromise, and concession, the North to the South, and the South to the North, and under them, from 1776, on to 1860, we carried on a successful and united government. (Applause.) I do not expect an immediate, nor an early, re-establishment of confidence between the North and the South; the demagogues have been too long successfully at work in parting us,—but I do expect, that when we can successfully re-establish the principles and spirit of the Constitution in the North, we shall be answered by a corresponding party, South. Or, in other words, when we can effectually subvert Abolitionism, North, a corresponding party in the South will successfully subvert Secessionism there. (Applause.)

#### THE PURPOSES OF THIS GOVERNMENT.

But, I am asked,—what is our programme?—what we intend to do? Do we intend to lay down our arms, we are tauntingly asked, and to submit to Rebellion, and let Rebellion ride rough-shod over us? Do we intend to let the capital of our country be taken,—our armies surrender,—and our cities, perhaps, be sacked? No; we have no such intent, no such purpose. (Applause.) We now have no such idea, and we never had. We think, and we feel, first,—that if we act upon the purposes, and upon the principles, which created this Government, the war will soon, of itself, cease. When the Constitution in 1787 was created, it was not altogether the work of Patriotism, or the love of Liberty, that inspired our Fathers. The treaty of 1783, with Great Britain, had secured the Liberty of the People, and the Independence of the States. There was not a right then, we have now, that every body had not then. The great principles of British and of American personal Liberty were as well secured under the old Confederation of States, as under the Confederation of the United States. But there were other things wanting we had not under the Constitution,—free trade, free intercourse, a common currency,—and, above all, protection and security from European intervention, or invasion. Thirteen independent States had thirteen different Custom Houses, and thirteen different laws, and regulations of commerce, and of trade. There was one rate of duties in Newport, Rhode Island, and another in New York, and yet another in Baltimore, or Norfolk. The Fathers of the Republic then felt the great business necessity of creating order out of this chaos,—and of adding to a Free People, a system of Free Trade, and of Free intercourse. It was INTEREST, then, SELF-INTEREST, as much as patriotism, that laid the foundations of our Government. There were debts to be discharged, obligations to be met, a navy to

be created for the protection of commerce, that could only be achieved by a government of the United States. Under the guidance of these impulses of self-interest, on the 11th of September, 1786, Commissioners from several States assembled in Annapolis (Md.) "to consider upon the best means of remedying the defects of the Federal Government." Their very platform was "to take into consideration the TRADE and COMMERCE of the United States, and to consider how far a uniform system, in their commercial intercourse and regulations, might be necessary to their common interest and permanent harmony." The vulgar inspiration of Trade started the Convention held in Philadelphia, afterwards, in 1787. Such men as Washington, Hamilton, Madison, Franklin, Roger Sherman, Rutledge, and Pinckney, did not hesitate to assemble, and to act upon this great inspiration of self-interest, and of Commerce and Trade. Free trade, a free intercourse, free rivers, they well reasoned, were indispensably necessary among a free people. The main purpose for which this Government was created, our Constitutional history shows, was to have but one system of customs, and of duties, from Georgia to Maine. Or, in other words, more tersely expressed, this is an *exterior*, not an *interior*, Government. The Federal Government was created, not for morals, not for religion, not for slavery or anti-slavery,—but to promote the "general welfare," or, in other, more vulgar parlance, to collect duties, to raise revenue thereby, to coin money, to have uniform weights and measures, to have one patent office, and to regulate commerce with foreign nations. I repeat, our great Fathers created a Government of, and founded it upon, self-interest, and only upon these principles of self-interest can it be maintained. When we interfere with morals, or religion, or attempt to govern by Theology, or Philosophy, our Government fails. When we attempt to enforce opinions, or to use Government to enforce opinions, the Government fails,—for it never can do, what it never was created to do. Hence, when an attempt is made to free negroes, or emancipate negroes in the South, the Government fails, just as if it attempted to emancipate them in Brazil or Cuba, or to emancipate the Sepoys of the East Indies. Hence, when we prosecute war to free four millions of Southern negroes,—though there are twenty millions of us, North concerned it,—we must fail, under our form of Government; for the Government was created exactly for reverse purposes,—the purposes of *self-interest*.—South as well as North—(applause)—and it is not the *interest* of the South to live among free negroes. (Continued applause.) If, then, we wish to end the war, we must resort to the principles of interest that laid the foundations of the Government, and we must make it the interest of the South to live with us—as our fathers did, when they created the Government. We must, then, go back and remember, this is an *exterior*, not an *interior* Government, and that slaves and slavery in Georgia or in Carolina do not concern us, as it is our concern to regulate commerce, to collect duties, to have uniform weights and measures, and common patent laws—not to free negroes. We want one system of trade,—one uniform commerce upon the sea coast, and the free navigation of such great Rivers as the Mississippi, Missouri, Ohio, the Red River, the Arkansas, etc. The true programme, then, is to

go back, and go back as fast as possible, to the reestablishment of our Custom Houses, our uniform system of duties. What they are doing in the interior of Virginia, whether they are in rebellion or not in Texas, or Georgia, but little concern us, if we hold on to Galveston, to Fort Pulaski, to New Orleans, to Norfolk, and collect the Revenue, and attend to the weights and measures. (A laugh.) If in Tennessee, ever, they choose to rebel, let them rebel till they are tired of it, provided at New Orleans they will pay the duties, and let us alone in Kentucky, and on the navigation of the Rivers. The beauty of our form of Government is, that we have little or nothing to do with what is going on in Tennessee, or Alabama, or Mississippi. If the People there think it their interest to be in rebellion, let them rebel, as long as they will confine their rebellion in their own limits. I do not propose to surrender New Orleans, or, never. (Applause.) That Port and that Port are indispensable to the great West,—where millions and millions more of people are hereafter to live, and who cannot even run the risk, that England or France, or some other Power may take it from the South, as we took it from her, under Farragut. What Gibraltar is to the great Mediterranean, New Orleans is to the Great West,—the Key, the gateway of the commerce of thirty or forty thousand miles of interior River Navigation. (Applause.) I do not propose to surrender Key West. The possession of it is indispensable to our navigation of the Gulf of Mexico. It is our self-interest to hold it, and hold it, we must. I do not propose to surrender Norfolk or Fortress Monroe. They are the keys of the Chesapeake, and the gates to the Capital in Washington. The duty of this Government is to collect duties in Mobile, in Charleston, as well as in North Carolina, Georgia, and Florida, and Louisiana,—and I would remove anything which stands in the way of the execution of this Exterior duty.

#### UNION A NECESSITY.

The God of Nature, I may say here, to the Southern People,—(Oh, that they may heed it to avert eternal wars!)—the God of Nature has written upon our very geography,—"One Country, one Constitution, one Destiny" [Applause.] It is written on the long lines of the Missouri and Mississippi, on the Ohio, and all their numerous tributaries, that empty into the Gulf of Mexico. The Father of this Country is not more eloquent in his Farewell Address upon this necessity of Union and Indivisibility, than is the Father of Waters, for four thousand miles,—as he gathers up his reasons in the rising rivulets of the icy Rocky Mountains, and rolls them on, into volumes of irresistible logic toward the Gulf of Mexico. (Applause.) These great waters must,—it is the law of inextinguishable necessity,—belong to one people, and be in one country. The holding on to what we have got, on the Mississippi, on the Gulf, on the Chesapeake, on the Capes of Virginia, is as indispensable to our safety as it is for the safety of the South to have them too. We are bound together, thus, we are linked together, for weal or woe,—and no wise man will fight to put asunder what God has thus joined together. (Applause.) If we part by Treaty, we part but soon to meet again in war. Eternal War, or Eternal Union, seems to be our Destiny. (Applause.) Tell me not, that the Ohio can divide us, as the Rhine divides France and



Germany, or, as the Danube parts Nationalities, —tell me not all this, unless you tell me, in the same breath, the numbers of the huge standing armies, that garrison the Rhine and the Danube, and secure Peace only by bristling in arms, eternally. (Applause.) England could not live without Scotland and Wales, and France perished in provinces, and Germany has been drenched with human gore, —because, there there was one people, speaking one language, cut up, divided into Kingdoms, Dukedoms, Landgraves, etc. It is essential, indispensably essential, for the security of our American Liberty, that we be one People. (Applause.) If but a river part us, or a chain of mountains, huge standing armies must stand as sentinels on every such river, or on every such mountain pass, —and there must be cordons of custom houses, and passports, and restrictions, all utterly destructive of human liberty. Standing armies are the Death of Freedom. Where the sword reigns, the Genius of Liberty runs off in terror and affright, —and the People soon succumb to Despotism. (Applause.) Three hundred thousand men on your side, and three hundred thousand on our side, to act as Policemen, will be indispensably necessary to keep apart a People speaking one tongue, and these inflamed by discordant free and slave institutions. Your negroes would run off, and we should keep them, and you, in revenge would burn, pillage and destroy. —Eternal war, or huge standing armies, I repeat then, would be our destiny, —and where War is, we see now, both North and South, there is no Liberty. In the name of God, then, if we will throw down our arms, throw down yours, and come back to us, or, if God has abandoned men to passion, and blood, in the name of Liberty, that hereditary Liberty, bequeathed to us all, we invoke you, to unite with us, and rescue our country from a destiny that shocks the patriot even in imagination to contemplate. (Great applause.)

#### UNION OUR SALVATION.

But, gentleman, Union is not only essential to liberty, but essential to our salvation. Republics exist on earth only as exceptional governments. Monarchies and despotisms are the common Law, if not the common destiny of nations. All Europe smiles, or seems to smile, upon our divisions, our battles, and the torrents of blood we shed in order to destroy the only great Republic on earth. Monarchy and Despotism both grin their ghastly smile, —while Liberty, the earth over, shrieks over the unnatural, the suicidal war.

Gentlemen, "Divide and Conquer" is the principle of monarchies against republics everywhere. Divide and conquer is the principle which now inspires the British Government, if not the Emperor of France. Divide the North and South, and then if possible conquer both when both are exhausted. Unity and universality of government are therefore a necessity for us both North and South, and the quicker and deeper and wider, this principle is comprehended

universally, the quicker we shall lay down our arms and stop this horrible effusion of human blood. (Applause.)

#### PRACTICAL RESOLUTIONS.

Gentlemen, I love to speak for practical purposes, and hence I have prepared two or three resolutions to present for your consideration, for your discussion hereafter, not for action at this time and this place, but for submission to this Democratic Association. I see nothing else that is left to us except the principles that are embodied in these resolutions. Revolution is the last thing to be thought of, under a form of government like ours, where grievances can be redressed at the ballot-box. We have to endure this Congress, we have to endure this President; it is wiser to endure them than to overthrow them by revolution. It is possible, barely possible, that at last they may be awakened, and may hear and heed the voice of the people. Hence I have selected a state as a medium through which my resolutions may be presented to the people both of the North and the South. A State of the Revolution; one of the Old Thirteen, of high and holy history, which has never been alien, either to the North or to the South, and which has ever been faithful to the Constitution of our common country, and that is, the State, the glorious State of New Jersey. (Loud cheers.) I propose, therefore, the following resolutions, to be submitted to the Democratic Association for discussion, for action, and if you approve of them, for presentation to the Government of New Jersey. And let me remark here that the Government of New Jersey is a homogenous government; the three branches are all of one faith and one opinion, and hence I name her in preference to the Government of our own New York.

#### THE APPEAL TO NEW JERSEY.

*Resolved*, That the State of New Jersey, through her State Government, be respectfully requested to interpose in order to arrest the existing civil war:

1. By inviting the non-slaveholding States and the loyal slaveholding States — Delaware, Maryland, Kentucky and Missouri — to meet in convention in Louisville, Ky., on the — day of February next.

2. By requesting the permission of the President of the United States to send Commissioners to Virginia, North and South Carolina, Georgia, Alabama, Florida, Mississippi, Louisiana, Arkansas, Texas, and Tennessee, to invite them also to meet in like national convention. And

3. *Be it further Resolved*, That the President be requested by the State Government of New Jersey to declare an armistice with or for such State or States as may accept this call for a national convention.

*Resolved*, That a committee be created on the part of this Association to present these resolutions to the Governor and Legislature of New Jersey, and to urge upon that state, that, in consideration of her revolutionary history and patriotic associations, she is entitled thus to lead in a national convention for the restoration of the Union of these States.

The resolutions were greeted with a torrent of cheers, and it was asked that they be passed upon immediately. The President therefore put the question, and they were carried unanimously.









